

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----x  
**Erick Mendez, Carlos Leon, Jesus Garcia,:  
Alejandro Ramos, and Angel Rodriguez,  
individually, and on behalf of others  
similarly situated,** :  
 :  
 :

**Plaintiffs,** : **07 Civ. 8428**  
 :  
**-against-** :  
 :

**Nonna Restaurant Corp., Roeeo Cadolini,:  
and Elio Guaitolini,** :  
 :

**Defendants.** :  
 -----x

**Hon. Harold Baer, Jr., District Judge:**

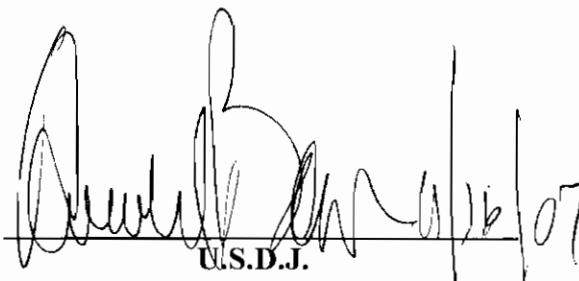
WHEREAS, the Court held a pretrial conference on November 15, 2007; and

WHEREAS, Plaintiffs' counsel indicated his intent to pursue this action in state court; it is hereby

ORDERED, that, pursuant to Fed. R. Civ. P. 41(a)(2), this case is dismissed without prejudice.

The Clerk of the Court is instructed to close this case and remove it from my docket.

**SO ORDERED.  
New York, New York  
November 16, 2007**

  
 U.S.D.J. 11/16/07

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